IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

Bail Appl..No. 12 of 2007()

CMP.4358/2006 of J.M.F.C.,NILAMBUR
CRIME NO.21/06 OF POTHUKALLU POLICE STATION.

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: PETITIONER/ACCUSED:

MECHERI SUDHEER, S/O.UMMER,
AGED 29 YEARS, VELUMBIYAMPADAM,
CHUNGATHARA AMSOM AND DESOM, NILAMBUR TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.DEVIDAS.U.K

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, THROUGH SUB INSPECTOR
POTHUKALLU POLICE STATION, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.12 OF 2007

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DATED THIS THE 8th DAY OF JANUARY, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the 1st accused in Crime No.21/06 of Pothukallu Police Station for offences punishable under Sections 55(a) and (h) read with section 54 of the Abkari Act, for having been found in possession of 44 litres of arrack on 6.12.2006, seeks his enlargement on bail. The petitioner was arrested on 6.12.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-